

Prior law provided that "approved runaway and homeless youth residential program or facility" meant any residential program or facility licensed by the division of licensing and certification of the Dept. of Health and Hospitals for board and care capacity for more than 50 individuals and possessing a waiver for the housing of juveniles.

New law provides that "approved runaway and homeless youth residential program or facility" means any residential program or facility licensed by the division of licensing and certification of the Dept. of Social Services as a child residential care provider including a community home, a group home, and a residential care adult residential facility possessing a waiver for the housing of juveniles; or an emergency shelter.

Existing law provides that parents be notified as soon as possible but not more than 72 hours following a runaway youth's admission into an approved runaway and homeless youth residential program or facility unless there are compelling circumstances or instances where abuse or neglect is suspected. When such circumstances exist or instances where abuse or neglect is suspected, the director or his designee shall immediately render a report in accordance with the procedures contained in existing law (R.S. 14:403).

Existing law provides that where the program or facility obtains oral consent from the parent, guardian, or legal custodian of the runaway youth, the youth may remain in the facility or program for a period of 15 days thereafter pending the facility's or program's receipt of a signed written consent form from the parent, guardian, or legal custodian.

Existing law does not address instances where the program or facility does not obtain consent from the parent, guardian, or legal custodian of the runaway youth for the youth to remain in the approved runaway and homeless youth residential program or facility.

New law provides that except in cases where parental consent has been obtained for the youth to remain longer, a runaway youth over the age of 11 may elect to remain in the facility for a period of 72 hours before being returned to the home environment provided that:

- (1) The runaway youth is not known to have committed nor is under investigation for the commission of a delinquent or criminal act; and
- (2) A good faith attempt is made to notify the parents, guardian, or legal custodian.

New law requires that a runaway youth over the age of 11 admitted to an approved runaway and homeless youth residential program or facility shall be provided 72 hours of safe harbor unless otherwise designated by order of a court exercising juvenile jurisdiction regarding custody of the runaway youth, or in the case when the youth is in the custody of a state agency which may elect to remove the child earlier without a court order. Provides that upon request by the youth, the youth will be allowed to return to the home environment at any time.

Effective upon signature of governor (July 9, 1999).

(Amends R.S. 46:1352(intro. para.) and (1) and 1353(A), (C), and (D); Adds R.S. 46:1353(E), (F), and (G))